

**REMARKS**

This Amendment is submitted in response to an Official Action issued March 26, 2003.

First, it should be noted that the claims submitted with the Amendment of March 6, 2003 were renumbered, so that original claims 29-31 were renumbered as 30-33 by the Examiner. Claims 25 and 31 have been amended. New claims 34-39 have been added.

While the undersigned is aware that the Patent Office always reserves the right to change its position, the saga involved in this application does not cast the US Patent system, including the undersigned, in a positive light, especially considering that the applicant is a British subject.

This application concerned a new structure and a new method which is untaught in any of the prior art. After a number of amendments in the underlying application, the undersigned, at great expense to the applicant, conducted a personal interview with Examiner Nguyen, as well as his supervisor Examiner Mai.

That interview consumed over two hours. It was apparent that some of the problem with the claims and/or specification involved the difference between British English and American English. After those issues were resolved, Examiner Mai maintained that an animal cage was anticipating the structural claims then presented. While we disagreed strenuously with that position, a break was taken, and after the break we returned and discussed the matter further with both Examiners. At that time, we suggested resubmitting the method claims, because there was no teaching of the method of this invention.

Both Examiners tentatively were positive on the likely patentability of such method claims, while reserving final judgment for later.

In view of the expenses involved in filing continuation applications in the US Patent Office, we advised our British counterpart of the tentative agreement with the Examiners, and the British client was then advised as to the current status of the matter. It was generally understood that the method claims appeared to be patentable unless new, previously undiscovered, prior art was uncovered. After considerable questioning by the client and British counsel, the client decided to invest the additional funds to file the continuation application with the method claims.

You can be certain that both I, the British patent attorney and the client were

shocked when this Office Action was issued, although I understand the Patent Office always has a right to reject claims which it believes are unpatentable.

Simply stated, this invention, whether in structure or method form, is just not found anywhere in the prior art.

The invention is directed to forming a modular building unit from rectangular frames which, if one can imagine, are like picture frames. There are four sides to a picture frame, and in this invention the frame is formed of lightweight steel. The frames are then held in a vertical alignment and horizontal runners are joined to form a lattice structure. By providing frame members that are substantially structurally similar, and forming a framework with the horizontal runners, the load will be substantially uniformly distributed throughout the framework and to the vertical frame members. This assembly system allows relatively lightweight vertical frame members to be used as part of the method of assembly. Transporting lightweight frame members saves much effort, time and expense and is much easier to handle. Utilizing lightweight frame members in the factory is also easier to handle. All of this is accomplished because the load is substantially uniformly distributed.

This is entirely different from all of the teaching of the prior art which teaches substantially standard rectangular corner structures which bear the majority of the load, as do most common building structures so that the load in the prior art is not uniformly distributed throughout the framework. The benefits of the present invention using relatively substantially similar rectangular frame members in the assembly process is significant, whereas in the prior art the rectangular frame members are not substantially similar except those at the ends, which bear the majority of the load of the structure.

Claims 25 and 31 have been further amended to recite the above patentable differences and it is hoped all claimed will now be allowed. Additionally, new claims 34-39 have been added.

An early notice of allowance is earnestly solicited.

Respectfully submitted,  
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